

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

April 1, 2005

**IN RE: PETITION OF TENNESSEE UNE-P
COALITION TO OPEN CONTESTED CASE
PROCEEDING TO DECLARE UNBUNDLED
SWITCHING AN UNRESTRICTED UNBUNDLED
NETWORK ELEMENT**

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**DOCKET NO.
02-00207**

**ORDER APPROVING SECOND REPORT AND
RECOMMENDATION AND CLOSING DOCKET**

This matter came before Director Deborah Taylor Tate, Director Sara Kyle, and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on March 14, 2005, for consideration of the Hearing Officer's *Second Report and Recommendation*.


On December 1, 2004, the UNE-P Coalition filed a statement providing notice to the Authority that it wished to withdraw its *Petition To Open Contested Case Proceeding* in the above-captioned docket. The UNE-P Coalition also included in its withdrawal a request that it not be precluded from filing the same or a similar petition in the future.

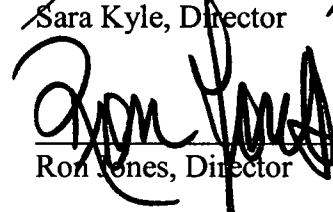
Based on the December 1, 2004, filing and the procedural history of this docket, the Hearing Officer recommended that the UNE-P Coalition be permitted to withdraw its *Petition* and that the withdrawal not preclude the UNE-P Coalition from filing the same or a similar petition in the future. Additionally, the Hearing Officer recommended that the above-captioned docket be closed due to the fact that no other party objected to the withdrawal of the *Petition*. Subsequently, the hearing panel unanimously approved of the Hearing Officer's *Second Report*

and Recommendation. For the foregoing reasons, this docket is hereby closed with the caveat that the UNE-P Coalition has the ability to re-file the same or a similar petition in the future.

IT IS SO ORDERED.


Deborah Taylor Tate, Director


Sara Kyle, Director


Ron Jones, Director